



United States Government

**NATIONAL LABOR RELATIONS BOARD**

Office of the Executive Secretary

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November 17, 2011

Re: Case Farms Processing, Inc.  
Cases 08-CA-039152, et al.

Thomas D. Rooney, Esq.  
David P. Hiller, Esq.  
Joseph J. Brennan, Esq.  
Fisher & Phillips LLP  
9150 South Hills Boulevard, Suite 300  
Cleveland, OH 44147-3599

Dear Counsels:

This will acknowledge receipt of the Reply Brief of Respondent Case Farms Processing, Inc. to the Board in Response to the General Counsel's Answering Brief to the Decision of the Administrative Law Judge.

Section 102.46(h) of the Board's Rules and Regulations specifies that within 14 days from the last date on which an answering brief may be filed pursuant to paragraph (d) or (f) of this section, any party may file a reply brief to such answering brief. Counsel for the General Counsel's answering brief was electronically filed with the Board on October 28, 2011. Therefore, any reply briefs were due 14 days thereafter, on or before November 14, 2011.<sup>1</sup> The Respondent's reply brief was submitted to the Board through its electronic filing procedures on November 16, 2011.

Based on the foregoing, and noting that the reply brief was submitted two days after the due date, on November 16, the reply brief is untimely and cannot be transmitted to the Board for consideration. One copy of your submission will be retained for the Board's informal case file.

Very truly yours,

/s/ Farah Z. Qureshi  
Associate Executive Secretary

cc: parties

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<sup>1</sup> The briefing period actually ended on November 11, 2011, Veteran's Day, and offices in Washington, DC were closed for observance of the holiday. Therefore, any briefs were due on the next business day, which was November 14, 2011.